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ORANGE COUNTY, CALIFORNIA

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July 11, 2003

A recent *Orange County Register* editorial discussed the *Los Angeles Times* claims that I am treating them unfairly because I have refused to speak with them personally. What the *Los Angeles Times* does not mention is that it is still (1) included in all press conferences conducted by my office; (2) has full access to all press releases which are posted on the OCDA website; (3) has full access to all public records under the Public Records Act; and (4) has full access to a summary of all of my office's high profile cases, which are also posted on the OCDA website. Why have I elected to take the rather unusual step of refusing to be personally interviewed by the *Los Angeles Times* reporters? The reason is that the *Los Angeles Times* has a "Jason Blair" problem. A reporter from the *Los Angeles Times*, staff writer, Stuart Pfeifer, has repeatedly fabricated facts and fabricated quotes to create more sensationalistic stories.

Three examples are illustrative. On June 11, 2003, Pfeifer quoted Orange County Supervisor Bill Campbell as stating during an Orange County Supervisor's meeting "Supervisor Bill Campbell inquired whether it was a good policy for Rackauckas to assign a deputy prosecutor **who is the wife of the District Attorney's campaign manager** to handle inquiries from reporters rather than prosecute cases." Supervisor Campbell never spoke the language that was bolded. While Pfeifer's quote was certainly more sensational, it was a pure fabrication. This fabrication is easy to confirm because all Supervisor's meetings are transcribed.

Second, *The Los Angeles Times* reported in an article written by Pfeifer that I had changed OCDA policy in December of 2002 to take away the discretion of deputy district attorneys in the prosecution of three strikes cases. This claim was also a complete fabrication. When I came into office in 1999, I adopted a written policy giving deputy district attorneys the discretion in the prosecution of three strikes cases. This policy is tough but fair. **Not a word of this policy has changed since 1999.** In fact, Senior Deputy District Attorney, Cameron Talley was interviewed by Mr. Pfeifer and specifically told him that no such policy change had been made or was being considered.

Third, the *Los Angeles Times*/Pfeifer story falsely claimed that in September and October of 2002, that I had changed the OCDA policy with respect to alcohol. This again was completely untrue. In fact, neither the prior policy nor the new policy ever even mentioned the word "alcohol."

We made extensive efforts to solve this problem with the *Los Angeles Times* informally. In February 2003 a representative of my campaign and a representative of my office met with *Los*

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*Angeles Times* editors Jack Robinson and Shelby Grad and provided them with detailed documentation of fabricated facts and quotes in numerous stories authored by Pfeifer. When the problem persisted, my representatives followed up with a meeting with Richard Kipling, the editor of the Orange County edition of *The Los Angeles Times*. At the conclusion of the final meeting, Kipling offered, "Can we make a deal on this." He offered to rotate Pfeifer off the OCDA beat within weeks of the meeting "because he was due to move anyway". In return, I agreed that I would again accept personal interviews with all reporters at *The Los Angeles Times* except for Pfeifer. We complied with this agreement but the *Los Angeles Times* never did. My office attempted to contact Kipling in early March of 2003 on several occasions to find out why the *Los Angeles Times* had failed to honor its agreement. Kipling still has not returned these calls.

What is ironic, is that the *Los Angeles Times* defensive response to the attempts of other media outlets to investigate this embarrassing scandal has been exactly the same conduct that they are protesting. The *Los Angeles Times* has often in the past refused to respond to media inquiries where the *Los Angeles Times* is the subject of the story. In fact, the *Los Angeles Times* refused to **even grant an interview to its own reporter that was covering this story**. Thus, it would appear that the *Los Angeles Times* also has an official policy of not speaking to *Los Angeles Times* reporters. How hypocritical is it for the *Los Angeles Times* to insist that they have a right under the first amendment to force me to speak with them when they do not recognize any ethical obligation to do so with other media outlets or to refrain from fabricating quotes and facts?

The people of Orange County do not need the *Los Angeles Times* in order to know the Orange County District Attorney's office. The size of the readership of the *Orange County Register* and the size of the TV viewer ship and radio listener ship dwarfs the reach of the *Los Angeles Times*. The people of Orange County already know that I have one of the best prosecutorial offices in the nation. We have provided a high level of protection and safety to the citizens of Orange County while operating \$44 million dollars under budget. We have obtained a 98% conviction rate in the homicide division last year and made oil companies write a blank check to keep drinking water safe in Orange County. This is our focus, not the howls of indignation of the *Los Angeles Times* that they have a right to fabricate quotes and facts and still force people to give personal interviews.



District Attorney  
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